IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3108 OF 2000
IN
SUIT NO. 258 OF 1996

Jean Nusly Duggan .. Plaintiffs

Vs.

Feroze Homi Duggan and Ors. ..Defendants

Mr.R.S.Mishra i/b L.C.Tolat for the plaintiffs

Mr.P.Seksaria i/b Paras Kohad for defendant no.1

Mr.H.J.Thakkar i/b Soloman and Co. for defendant no.1

WITH

NOTICE OF MOTION NO.3109 OF 2000
IN
SUIT NO.4847 OF 1995

Jean Nusly Duggan .. Plaintiffs

Vs.

Benzer Interiors P.Ltd. and Ors. ..Defendants

Mr.R.S.Mishra i/b L.C.Tolat for the defendant no.7

Mr.Raval Shah for defendant no.2, 4 and 5

Mr.P.Seksaria i/b Paras Kohad for defendant no.1

Mr.H.J.Thakkar i/b Soloman and Co. for the plaintiffs

CORAM : S.U.KAMDAR, J
DATED : 16TH SEPTEMBER, 2005

P.C.:

1. These two motions pertain to direction of Receiver to deposit British Sterling Pounds 200,000. In respect of very same account, Supreme Court has passed an order on 21.1.02 staying the direction of deposit of the very same amount with the Prothonotary and Senior Master, High Court, Mumbai. That appeal is still pending before the Supreme Court. In that view of the matter, both these motions do not survive any further. However, it is necessary to make certain clarification that all the parties will abide by the final orders of the Supreme Court in respect of deposit of the said British Sterling Pounds 2000,000. Receiver will not take any action for non deposit of said amount till final decision of Supreme Court and Receiver shall also abide by the said decision of the Supreme Court in the said pending appeal. In that view of the matter, motion does not survive. Both the motions are disposed of accordingly. No order as to costs.